

China
People's Republic of China

Hague/Inter-American

Party to Hague Service Convention?	Party to Inter-American Convention?
Yes	No
Party to Hague Evidence Convention?	Service of Process by Mail?
Yes	No
Party to Hague Apostille Convention?	
No	

DISCLAIMER

DISCLAIMER: THE INFORMATION IS PROVIDED FOR GENERAL INFORMATION ONLY AND MAY NOT BE TOTALLY ACCURATE IN A SPECIFIC CASE. QUESTIONS INVOLVING INTERPRETATION OF SPECIFIC FOREIGN LAWS SHOULD BE ADDRESSED TO THE APPROPRIATE FOREIGN AUTHORITIES OR FOREIGN COUNSEL.

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Embassies and Consulates

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[U.S. Embassy Beijing](#)

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The Embassy consular district includes the municipalities of Beijing and Tianjin and the provinces/autonomous regions of Gansu, Hebei, Henan, Hubei, Hunan, Inner Mongolia, Jiangxi, Ningxia, Qinghai, Shaanxi, Shandong, Shanxi, and Xinjiang.
BeijingACS@state.gov

Consulates

[U.S. Consulate General Chengdu](#)
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This consular district includes the provinces/autonomous region of Guizhou, Sichuan, Xizang (Tibet) and Yunnan, as well as the municipality of Chongqing.

[U.S. Consulate General Guangzhou](#)
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This consular district includes the provinces/autonomous region of Guangdong, Guangxi, Hainan, and Fujian.

[U.S. Consulate General Shanghai](#)
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This consular district includes Shanghai municipality and the provinces of Anhui, Jiangsu and Zhejiang.

[U.S. Consulate General Shenyang](#)
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This consular district includes: the provinces of Heilongjiang, Jilin, and Liaoning.

[The U.S. Consulate General in Wuhan](#)
New World International Trade Tower I,
No. 568, Jianshe Avenue
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Please note that Wuhan does not provide regularly scheduled consular services. Contact the Embassy in Beijing for consular assistance.
USConsulateWuhan@state.gov

List of Attorneys

- [U.S. Embassy Beijing](#)
- [U.S. Consulate General Guangzhou](#)
- [U.S. Consulate General Shanghai](#)
- [U.S. Consulate General Shenyang](#)

Chinese Attorneys/American Law Firms in China: It is our understanding that Chinese law offices are within the jurisdiction and authority of the Ministry of Justice. Under the Ministry of Justice is the Department of Public Notaries and Lawyers, which in turn establishes legal advisory offices at provincial and local levels. All lawyers and public notaries in China are part of this system, and as such are employees of the State. Lawyers in the Chinese system therefore do not necessarily assume the advocacy role expected of lawyers in the United States, but rather have obligations to the State as well as to their clients. Anyone who retains the services of a lawyer in China should understand this difference between the American and Chinese legal systems. American law firms with a presence in China maintain representative offices which may provide legal advice to clients on commercial, tax, or economic law as it relates to investment in China by foreign firms.

Helpful Links

[Chinese Ministry of Justice](#)

Service of Process

China is a party to the Hague Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil and Commercial Matters. Complete information on the operation of the Convention, including an interactive online request form are available on the [Hague Conference website](#). Requests should be completed in duplicate and submitted with two sets of the documents to be served, and translations, directly to [China's Central Authority for the Hague Service Convention](#). The person in the United States executing the request form should be either an attorney or clerk of court. The applicant should include the titles attorney at law or clerk of court on the identity and address of applicant and signature/stamp fields. In its [Declarations and Reservations on the Hague Service Convention](#), China formally objected to service under Article 10, and does not permit service via postal channels. For additional information see the [Hague Conference Service Convention website](#) and the [Hague Conference Practical Handbook on the Operation of the Hague Service Convention](#). See also China's response to the 2008 Hague Conference questionnaire on the practical operation of the Service Convention.

Service on a Foreign State: See also our Service Under the [Foreign Sovereign Immunities Act](#) (FSIA) feature and [FSIA Checklist](#) for questions about service on a foreign state, agency or instrumentality.

Service of Documents from China in the United States: See information about service in the United States on the [U.S. Central Authority for the Service Convention page](#) of the Hague Conference on Private International Law Service Convention site.

Criminal Matters

Prosecution Requests: U.S. federal or state prosecutors should also contact the [Office of International Affairs, Criminal Division, Department of Justice](#) for guidance regarding the U.S.-China agreement on mutual legal assistance in criminal matters.

Defense Requests in Criminal Matters: Criminal defendants or their defense counsel seeking judicial assistance in obtaining evidence or in effecting service of documents abroad in connection with criminal matters may do so via the [letters rogatory](#) process.

Obtaining Evidence in Civil and Commercial Matters

China is a party to the [Hague Convention on the Taking of Evidence Abroad in Civil and Commercial Matters](#). The [Chinese Central Authority for the Hague Evidence Convention](#) designated to receive letters of request for the taking of evidence is the Ministry of Justice. See the [Hague Evidence Convention Model Letters of Request](#) for guidance on preparation of a letter of request. Requests for the taking of evidence under the Hague Evidence Convention are transmitted directly from the requesting court or person in the United States to the Chinese Central Authority and do not require transmittal via diplomatic channels. Letters of Request and accompanying documents should be prepared in duplicate and translated into Chinese.

Taking Voluntary Depositions of Willing Witnesses

China does **not** permit attorneys to take depositions in China for use in foreign courts. Under its [Declarations and Reservations to the Hague Evidence Convention](#) and subsequent diplomatic communications, China has indicated that taking depositions, whether voluntary or compelled, and obtaining other evidence in China for use in foreign courts may, as a general matter, only be accomplished through requests to its Central Authority under the Hague Evidence Convention. Consular depositions would require permission from the Central Authority on a case by case basis and the Department of State will not authorize the involvement of consular personnel in a deposition without that permission. Participation in such activity could result in the arrest, detention or deportation of the American attorneys and other participants.

Authentication of Documents

China is not a party to the Hague Convention Abolishing the Legalization of Foreign Public Documents. Documents issued in the United States may be authenticated for use in China by (a) contacting the [U.S. Department of State Authentications Office](#) and (b) then having the seal of the U.S. Department of State authenticated by the Embassy of China in Washington, D.C. Documents issued in U.S. states must first be authenticated by the designated state authority, generally the state Secretary of State.